

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed September 3, 2004 (Paper No. 20040901). Upon entry of this response, claims 80, 81, 94-98, and 113 are pending in the application. In this response: claims 1-79, 82-93, and 99-112 have been cancelled; claim 113 has been added; and claims 80, 81, and 94-98 have been amended. Applicants respectfully request that the amendments being filed herewith be entered and request that there be reconsideration of all pending claims.

1. Telephonic Examiner Interview

A telephone interview between Examiner Jonathan P. Ouellette and Applicants' representatives (Jeff Kuester and Karen Hazzah) took place on August 25, 2004. During the interview, Examiner Ouellette explained his rationale for the multiplicity rejection, and further explained the § 112, second paragraph rejection of method claims 18 and 26. Applicants wish to thank Examiner Ouellette for his time.

2. In-Person Examiner Interview

A second, in-person interview took place on December 16, 2004. The attendees were the Examiner Jonathan P. Ouellette, the Supervisory Examiner John Weiss, Applicants' representative Jeff Kuester, and inventor Scott Frank. While no specific claims or references were discussed with regard to this particular application, the parties discussed general aspects of the § 101 rejection. Applicants wish to thank Examiner Ouellette and Supervisory Examiner Weiss for their time.

3. Rejection of Claims 1, 18, 34, 45, 54, 63, and 71 under 35 U.S.C. § 101

Claims 1, 18, 34, 45, 54, 63, and 71 have been rejected under § 101 as being directed to nonstatutory subject matter. Claims 1, 18, 34, 34, 54, 63, and 71 have been cancelled, and therefore the rejection of these claims is moot. Accordingly, Applicants respectfully request that the rejection of claims 1, 18, 34, 34, 54, 63, and 71 be withdrawn.

4. Rejection of Claims 18 and 26 under 35 U.S.C. § 112, second paragraph

Claims 18 and 26 have been rejected under § 112, second paragraph as being indefinite for failing to particularly point and out and distinctly claim the subject matter which applicant regards as his invention. Specifically, claims 18 and 26 are rejected “as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: disclosing where the innovation submission is selectively sent too.” (Office Action, p. 6, sections 13 and 14). Claims 18 and 26 have been cancelled, and therefore the rejection of these claims is moot. Accordingly Applicants respectfully request that the rejection of claims 18 and 26 be withdrawn.

5. Rejection of Claims 1-112 under 37 C.F.R. 1.75(b)

Claims 1-112 have been rejected under 37 C.F.R. 1.75(b) as being “an unreasonable number of claims, that is unreasonable in view of the nature and scope of applicant’s invention and the state of the art.” (Office Action, p. 6, section 15). The Office Action requires the selection of 35 claims for examination. (Office Action, p. 6, section 16).

Applicants have added claim 113 and cancelled claims 1-79, 82-93, and 99-112, leaving 8 claims for examination. Therefore, Applicants respectfully request that the multiplicity rejection be withdrawn.

Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these cancelled claims in a continuing application, if Applicants so choose, and do not intend to dedicate any of the cancelled subject matter to the public.

CONCLUSION

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and presently pending claims 80, 81, 94-98, and 113 be allowed to issue. Although some dependent claim rejections and some obviousness rejections are explicitly addressed above, the omission of arguments for other claims is not intended to be construed as an implied admission that the Applicants agree with the rejection or finding of obviousness for the respective claim or claims. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,

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